



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

201 W. Preston Street • Baltimore, Maryland 21201

Robert L. Ehrlich, Jr., Governor – Michael S. Steele, Lt. Governor – Nelson J. Sabatini, Secretary

MEMORANDUM

To: Program Directors Personnel Officers
Facility CEO's County Personnel Liaisons
Local Health Officers

From: J. Alan Baker, Director, Personnel Services Administration

Date: March 27, 2003

Subject: Time Limitations For Imposing Disciplinary Action

Attached is a [memorandum dated February 4, 2003 from Andrea Fulton](#), Executive Director, OPSB/DBM, which refers to the impact of a recent Court of Appeals Decision on time limitations for imposing disciplinary action involving misconduct. The Court's ruling is that where there is sufficient cause for investigation, there is sufficient knowledge of the misconduct that could result in disciplinary action. Therefore, the time limits in SPP §11-106 apply. Furthermore, the knowledge of the misconduct may not even identify the employee who is ultimately disciplined. If you wish to read the entire decision, it can be found at the Maryland Appellate Court website, <http://mdcourts.gov/opinions/coa/2002/41a00.pdf> (Citation: 371 Md. 125, filed 2002-09-18) .

In addition to Ms. Fulton's strong recommendation regarding adherence to the deadlines specified for the various personnel actions in statute, regulation or policy, she has provided also a list of the deadlines associated with some of the more pertinent personnel actions.

Please read carefully the attached information. If you have any questions concerning this material, please do not hesitate to contact Harold Young, Chief, Employee Relations Division at 410-767-5466.

Please note that this information will also be available on the Internet version of the Personnel Guidance Handbook in the near future.

File In Personnel Guidance Handbook Under Category: Employee Relations

cc: Arlene H. Stephenson, Deputy Secretary For Public Health Services